wherein the pivotal position of the checking element relative to a starting position is known at every time in the pivotal movement of said checking element.

2.(Canceled)

3.(Currently Amended) A monitoring device in accordance with Claim [[2]] 1, wherein a controlled value of the control of the pivotal movement of the checking element is the pivotal position of the checking element at a predefined time.

4.(Cancelled)

5.(Previously presented) A monitoring device in accordance with Claim 1, wherein the time needed by the checking element for its pivotal movement from a first pivotal position into a second pivotal position is predefined.

6.(Previously presented) A monitoring device in accordance with Claim 5, wherein the time, which the checking element needs for its pivotal movement commencing from a starting position until arriving at a checking position, is fixed.

7.(Previously presented) A monitoring device in accordance with Claim 5, wherein the time, which the checking element needs for its pivotal movement commencing from a starting position until arriving at a reversal position, is fixed.

8.(Previously presented) A monitoring device in accordance with Claim 1, wherein the time, which the checking element needs for its pivotal movement commencing from a reversal position until arriving at the starting position, is fixed.

9.(Currently Amended) A monitoring device in accordance with Claim 1, wherein [[a]] the predefined pivotal position-time course is stored in the control device.

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10.(Previously presented) A monitoring device in accordance with Claim 1, wherein a control value for the control device is a time increment.

11.(Previously presented) A monitoring device in accordance with Claim 1, wherein a control value is a pivotal position increment or a pivotal position decrement.

12.(Previously presented) A monitoring device in accordance with Claim 1, wherein a control value is formed in dependence on a predefined maximum torque of the checking element.

13.(Currently amended) A monitoring device in accordance with Claim 1, wherein magnitudes of at least one of path intervals ~~and/or~~ and time increments for the control of the pivotal position of the checking element are matched to [[a]] the predefined pivotal position-time course.

14.(Currently Amended) A monitoring device in accordance with Claim 1, wherein the control ~~device~~ loop comprises a position control device which compares an actual pivotal position at a certain time with a reference pivotal position and generates a control value signal in dependence on the result of the comparison.

15.(Currently amended) A monitoring device in accordance with Claim 14, wherein the position control device comprises a [[PD]] proportional plus derivative controller.

16.(Currently amended) A monitoring device in accordance with Claim 1, wherein the control ~~device~~ loop further comprises a torque control device which compares an actual motor current with a reference motor current and generates a control value signal in dependence on the result of the comparison.

17.(Currently amended) A monitoring device in accordance with Claim 16, wherein the torque control device comprises a [[P]] proportional controller.

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18.(Previously presented) A monitoring device in accordance with Claim 1, wherein a motor driver is provided for controlling the motor in dependence on one or more control values.

19.(Previously presented) A monitoring device in accordance with Claim 18, wherein the motor driver provides a pulse width modulated signal for controlling the motor.

20.(Previously presented) A monitoring device in accordance with Claim 14, wherein there is provided a control value limiter to which control value signals delivered by the position control device and a torque control device are supplied for producing a torque limiting control value signal.

21.(Previously presented) A monitoring device in accordance with Claim 1, wherein the checking element is pivotable commencing from a starting position through a transition region into a monitoring region in which the predefined position of the body lies or in which the presence of a body should be monitored, and in that the control device limits the torque of the checking element in such a manner that the maximum possible torque in the monitoring region is reduced relative to that in the transition region.

22.(Previously presented) A monitoring device in accordance with Claim 21, wherein the motor is a dc motor and the supply of current to the motor is adapted to be limited by the control device.

23.(Previously presented) A monitoring device in accordance with Claim 1, wherein the control device controls the pivotal movement of the checking element via combined position, speed and torque controlling.

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24.(Previously presented) A monitoring device in accordance with Claim 21, wherein the speed of the checking element is reducible during its transfer from the transition region into the monitoring region.

25.(Previously presented) A monitoring device in accordance with Claim 24, wherein the reduction of a torque limit is effected after the reduction in the speed of the checking element.

26.(Previously presented) A monitoring device in accordance with Claim 1, wherein an angle transmitter is provided for detecting the position of the checking element.

27.(Previously presented) A monitoring device in accordance with Claim 21, wherein the transition region comprises an acceleration region in which the speed of the checking element is increased commencing from the starting position.

28.(Previously presented) A monitoring device in accordance with Claim 21, wherein the transition region comprises a braking region in which the speed of the checking element is reduced.

29.(Previously presented) A monitoring device in accordance with Claim 21, wherein the speed of the checking element is maintained substantially constant between an acceleration region and a braking region of the transition region.

30.(Previously presented) A monitoring device in accordance with Claim 21, wherein the speed of the checking element is maintained substantially constant in the monitoring region.

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31.(Previously presented) A monitoring device in accordance with Claim 21, wherein the control device undergoes a learning cycle for determining the monitoring region.

32.(Previously presented) A monitoring device in accordance with Claim 31, wherein a plurality of predefined position-time courses is stored in the control device and a specific position-time course is selected in dependence on a monitoring region as determined in a learning cycle.

33.(Previously presented) A monitoring device in accordance with Claim 32, wherein the monitoring region is set by the control device such that it begins at a certain angular amount prior to a position of the body detected in the learning cycle.

34.(Previously presented) A monitoring device in accordance with claim 1, wherein stop means are provided for limiting the pivotal movement of the checking element.

35.(Previously presented) A monitoring device in accordance with Claim 34, wherein, for the purposes of setting a reference position of the checking element, this is moved at a predefined speed into a stop position in which corresponding stop means touch.

36.(Previously presented) A monitoring device in accordance with Claim 35, wherein, for the purposes of defining the reference position of the checking element in the stop position, corresponding stop means are rotated against each other at low torque.

37.(Previously presented) A monitoring device in accordance with Claim 1, wherein a seal is arranged between the checking element and a housing for accommodating the motor around a shaft by means of which the checking element is driven.

38.(Previously presented) A monitoring device in accordance with Claim 37, wherein the seal abuts on the checking element and abuts on the housing.

39.(Previously presented) A monitoring device in accordance with Claim 37, wherein the seal is formed symmetrically about an axis.

40.(Previously presented) A monitoring device in accordance with Claim 37, wherein the seal is seated between the checking element and the housing co-axially relative to the shaft.

41.(Previously presented) A monitoring device in accordance with Claim 37, wherein an intermediate space is formed between the shaft and the seal.

42.(Previously presented) A monitoring device in accordance with Claim 37, wherein the seal is adapted to be rotationally fixed relative to the checking element.

43.(Previously presented) A monitoring device in accordance with Claim 42, wherein the checking element comprises a mounting element for the seal onto which the latter is adapted to be put in order to fix it non-rotationally on the checking element.

44.(Previously presented) A monitoring device in accordance with Claim 43, wherein the mounting element is formed by a mounting ring through which the shaft is guided and onto which the seal is adapted to be put.

45.(Previously presented) A monitoring device in accordance with Claim 43, wherein an annular recess for accommodating the seal is formed between the mounting element and the checking element.

46.(Previously presented) A monitoring device in accordance with Claim 37, wherein an outer diameter of the seal substantially corresponds to the diameter of the checking element.

47.(Previously presented) A monitoring device in accordance with Claim 37, wherein the seal comprises a packing ring for the purposes of putting it onto the checking element.

48.(Previously presented) A monitoring device in accordance with Claim 37, wherein the seal comprises a collar having a V-shaped sealing lip which abuts on the housing.

49.(Previously presented) A monitoring device in accordance with Claim 48, wherein the collar is rotatable with the checking element relative to the housing.

50.(Previously presented) A monitoring device in accordance with Claim 48, wherein the outer surface of the collar is substantially in the form of a truncated cone at least when force is not being applied thereto in the axial direction.

51.(Previously presented) A monitoring device in accordance with Claim 50, wherein an imaginary cone peak of the collar points towards the checking element.

52.(Previously presented) A monitoring device in accordance with Claim 50, wherein the inner surface of the collar is substantially in the form of a truncated cone at least when force is not being applied thereto in the axial direction.

53.(Previously presented) A monitoring device in accordance with Claim 48, wherein an axial extent of the seal can be varied via the collar.